
TREATY

BETWEEN

THE UNITED STATES OF AMERICA

AND THE

CONFEDERATED TRIBES OF SAC & FOX INDIANS.

CONCLUDED SEPTEMBER 29, 1836—RATIFIED DECEMBER 13, 1837.

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MARTIN VAN BUREN,

PRESIDENT OF THE UNITED STATES OF AMERICA,

To all and singular to whom these presents shall come, Greeting :

WHEREAS, a treaty between the United States of America and the confederated tribes of Sac and Fox Indians, was made and concluded at the treaty ground, on the right bank of the Mississippi river, in the county of Dubuque, and Territory of Wisconsin, opposite Rock island, on the twenty eighth day of September, in the year one thousand eight hundred and thirty-six, by Henry Dodge, Commissioner on the part of the United States, and the Chiefs, Headmen, and Warriors, of the confederated tribes of the Sac and Fox Indians, on the part of said tribes ; which treaty is in the words following, to wit :

Whereas a treaty between the United States of America and the confederated tribes of Sac and Fox Indians was made and concluded at the treaty ground on the right bank of the Mississippi river in the county of Dubuque and Territory of Wisconsin opposite Rock island, on the twenty-eighth day of September in the year one thousand eight hundred and thirty-six, by Henry Dodge commissioner on the part of the United States, and the chiefs, headmen and warriors of the confederated tribes of the Sac and Fox Indians, on the part said tribes, which treaty is in the following words, to wit:

Articles of a treaty made and entered into at the treaty ground on the right bank of the Mississippi river in the county of Dubuque and Territory of Wisconsin opposite Rock island, on the twenty-eighth day of September one thousand eight hundred and thirty-six, between Henry Dodge commissioner on the part of the United States, of the one part, and the confederated tribes of Sac and Fox Indians represented in general council by the undersigned chiefs headmen and warriors of the said tribes, of the other part.

Whereas by the second article of the treaty made between the United States and the confederate tribes of the Sac and Fox Indians on the twenty-first day of September one thousand eight hundred and thirty-two, a reservation of four hundred sections of land was made to the Sac and Fox Indians to be laid off under the direction of the President of the United States in

conformity to the provisions of said article, and the same having been so subsequently laid out accordingly, and the confederated tribes of Sacs and Foxes being desirous of obtaining additional means of support, and to pay their just creditors, have entered into this treaty, and make the following cession of land.

ARTICLE 1. The confederated tribes of Sacs and Foxes for the purposes above expressed, and for and in consideration of the stipulations and agreements hereinafter expressed, do hereby cede to the United States forever, the said reservation of four hundred sections of land as designated in the second article of the treaty made between the United States and the confederated tribes of Sacs and Foxes as the same has been surveyed and laid off by order of the President of the United States.

ARTICLE 2. In consideration of the cession contained in the preceding article, the United States hereby agree as follows, to wit ; To pay to the confederated tribes of the Sac and Fox Indians in the month of June, one thousand eight hundred and thirty-seven, the sum of thirty thousand dollars, and for ten successive years thereafter the sum of ten thousand dollars each year in specie, to be paid at the treaty ground opposite Rock island ; to pay to the widow and children of Felix St. Urain deceased former Indian agent who was killed by the Indians, one thousand dollars ; to pay to the following named persons the sums set opposite to their names respectively, being the one half of the amount agreed to be due and owing by the confederated tribes of Sacs and Foxes to their creditors, provided said creditors will wait for the oth-

er half until the same can be paid out of their annuities, for which purpose the Sacs and Foxes will set apart the sum of five thousand dollars each year, beginning in one thousand eight hundred and thirty-eight, out of their annuities to be paid upon said debts in the proper proportion until the whole amount is discharged; to wit: to John Campbell ten thousand dollars, to Jeremiah Smith six hundred and forty dollars, to Stephen Dubois three hundred and five dollars and twenty cents, to Nathaniel Knapp one hundred dollars, to Wharton R. McPhearson two hundred and fifty dollars, to S. S. Phelps & Co. four thousand dollars, to Jesse W. Shull five hundred dollars, to James Jordan one hundred and fifty dollars, to John R. Campbell fifteen dollars, to Amos Farrar one hundred dollars, to the owners of the S. boat Warrior, one hundred and sixty-two dollars and seventy-five cents, to George Davenport two thousand five hundred and sixty-three dollars and fifty cents, to Madame St. Ament five hundred dollars, to Madame Joseph Gunville five hundred dollars, to Madame Le Claire one hundred and twenty-five dollars, to Miss Blondeau one hundred and twenty-five dollars, to Antoine Le Claire two thousand four hundred and thirty-six dollars and fifty cents, to Francis Labachiere one thousand one hundred and sixty-seven dollars and seventy-five cents, to Pratte Chouteau & Co. twenty thousand three hundred and sixty-two dollars, and forty-two and a half cents, to Nathaniel Patterson four hundred and fifty-six dollars.

ARTICLE 3. The United States further agree to deliver to the confederated tribes of Sacs and Foxes two hundred horses, as near that number as can be procured with the sum of nine thousand three hundred and forty-one dollars, to be delivered at the payment of the annuities in June one thousand eight hundred and thirty-seven.

ARTICLE 4. At the special request of the Sac and Fox Indians aforesaid, the United States agree to make the following provision for the benefit and support of seven half-breeds of the Sac and Fox nation, to wit: The United States agree to pay to ——— Wayman for the use and benefit of his half-breed child by a Fox woman named Ni-an-no, one thousand dollars, to Wharton R. McPhearson for the use and benefit of his half-breed child by To-to-qua, a Fox woman, one thousand dollars, to James Thora for the use and benefit of his half-breed child by Ka-kee-o-se-qua, a Fox woman, one thousand dollars, to Joseph Smart for the use of his half-breed child by Ka-ti-qua, a Fox woman one thousand dollars, to Nathan Smith for the use and benefit of his half-breed child by Wa-na-sa, a Sac woman one thousand dollars, and to Joseph M. Street, Indian agent, two thousand dollars for the use and benefit of two half-breed children, one the child of Ni-wa-ka-kee a Fox woman, by one Mitchell, the other the child of Ni-an-na by Amos Farrar, the two thousand dollars to be put at inter-

est, and so much of said interest arising therefrom to be expended for the benefit of the children as said agent shall deem proper and necessary, and when each shall arrive at the age of twenty years, the said agent shall pay to each half-breed one thousand dollars and any balance of interest remaining in his hands at the time.

ARTICLE 5. At the special request of the said confederated tribes of Sac and Fox Indians it is further agreed by the United States, to pay to Joseph M. Street their agent, two hundred dollars for the use and benefit of Thompson Connolly and James Connolly children of their friend John Connolly deceased, to be by said agent put at interest and expended on the education of said Thompson and James Connolly children of said John Connolly deceased.

ARTICLE 6. The said confederated tribes of Sac and Fox Indians hereby stipulate and agree to remove from off the lands herein in the first article of this treaty ceded to the United States, by the first day of November next ensuing the date hereof, and in order to prevent any future misunderstanding, it is expressly agreed and understood that no band or party of the said confederated tribes of Sac and Fox Indians, shall plant, fish or hunt on any portion of the country herein ceded after the period just mentioned.

ARTICLE 6. This treaty shall be obligatory on the contracting parties after it shall be ratified by the President and Senate of the United States.

Done at the treaty ground on the right bank of the Mississippi in Dubuque county Wisconsin Territory opposite Rock island this twenty-eighth day of September one thousand eight hundred and thirty-six.

A. DODGE, (seal.)

A-sho-wa-huk	his x mark, (seal.)
Ma-sho-na	his x mark, (seal.)
Wa-ko-sha-she	his x mark, (seal.)
Sa-sa-pe-man	his x mark, (seal.)
Na-wo-huck	his x mark, (seal.)
Pe-n-na-see	his x mark, (seal.)

Foxes.

Wa-pella	his x mark, (seal.)
Pow-a-sheek	his x mark, (seal.)
Qua-qua-na-po-qua	his x mark, (seal.)
Wa-pak-onas-kneck	his x mark, (seal.)
Wa-tup-a-waut	his x mark, (seal.)
Ma-kee-won-a-see	his x mark, (seal.)
Ka-ka-no-an-na	his x mark, (seal.)

Sacs.

Kee-o-kuck	his x mark, (seal.)
Pashapahoo	his x mark, (seal.)
We-she-ko-ma-quit	his x mark, (seal.)
Ap-a-roose	his x mark, (seal.)
Pe-a-chin-wa	his x mark, (seal.)
Mo-wa-wi	his x mark, (seal.)
Wa-pe-sha-kon	his x mark, (seal.)

In presence of us

James W. Grimes,

Sec'y of Commission.

Jos. M. Street, *Indian Agent.*

L. Dorsey Stockton, jr. *Attorney at law.*

Ant. Leclaire, *Interpreter*

Frans. Labussar, *Interpreter.*

James Craig.

P. R. Chouteau, jr.

Geo. Davenport.

Nathl. Knapp.

W. R. McPherson.

Geo. W. Atchison.

Jeremiah Smith.

Nathan Smith.

Robt. Serrell Wood.

Geo. Catlin.

Richard J. Lockwood.

Enoch Gilbert.

Courtlandt Lawson.

George Miller, jr.

Courtlandt Lawson.

And whereas the said treaty having been submitted to the Senate of the United States, for their advice and consent in respect to its ratification, the said Senate did, on the twenty-fifth day of February, one thousand eight hundred and thirty-seven, advise and consent to the ratification thereof with certain amendments.

And whereas ANDREW JACKSON, then President of the United States of America, did on the twenty-seventh day of February, one thousand eight hundred and thirty-seven, in pursuance of the advice and consent of the Senate, as expressed in their resolution aforesaid, accept, ratify, and confirm the said treaty, with the amendments thereto set forth in the said resolution.

And whereas the said Indians having subsequently refused their assent to one of the said amendments, the Senate of the United States, the said treaty having been again submitted to their consideration, did, on the thirteenth day of October, one thousand eight hundred and thirty-seven, resolve as follows, viz :

"Whereas in the second article of the treaty made with the confederated tribe of Sac and Fox Indians, dated the 28th day of September, 1836, provision is made for the payment of sundry debts said to be due from said Indians to the several individuals whose names are mentioned in said article, and whereas the said treaty was submitted by the President of the United States to the Senate for advice, as to its ratification, and whereas the Senate advised the ratification of said treaty with sundry amendments, and among them, recommended, that the provision before mentioned for the payment of said debts to the individuals named should be stricken out, and in lieu thereof a provision inserted by which the sum of forty-eight thousand four hundred and fifty-eight dollars eighty-seven and a half cents should be applied to the payment of such debts as should be found to be due by the superintendent of said Indians &c. ; and whereas the said Indians have refused to give their assent to said amendments ;

Therefore it is now resolved, two-thirds of the Senators present concurring, that the Senate do advise and consent to the ratification of said treaty, without the amendment before mentioned, and that so far as it relates to said debts the treaty be construed and executed in the manner set forth therein, when it was executed by the contracting parties."

Now, I, MARTIN VAN BUREN, President of the United States of America, do, in pursuance of the advice and consent of the Senate, as expressed in their said resolutions of the twenty-fifth day of February, and the thirteenth day of October, one thousand eight hundred and thirty-seven, accept, ratify, and confirm the said treaty, with the following amendments and no other, viz :

"After the word 'island' in the third line of the second article, insert the following words : "Or such other place as may be designated by the President of the United States."

"The Ioway Indians having set up a claim to a part of the lands ceded by this treaty, it is therefore hereby provided, that the President of the United States shall cause the validity and extent of said claim to be ascertained, and upon a relinquishment of said claim to the United States, he shall cause the reasonable and fair value

thereof to be paid to said Ioway Indians, and the same amount to be deducted from the sum stipulated to be paid to the Sacs and Foxes."

IN TESTIMONY WHEREOF, I have caused the seal of the United States to be hereunto affixed, having signed the same with my hand.

DONE at the city of Washington, the thirteenth day of December, in the year of our Lord one thousand eight hundred and thirty-seven, and of the independence of the United States the sixty-second.

By the President:

M. VAN BUREN.

JOHN FORSYTH, *Secretary of State.*